



1645#4
RECEIVED
MAY 20 2002
S-28-02
TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on May 9, 2002

Donna L. Hengst

Donna L. Hengst

PATENT

Attorney Docket No. 22488-712

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Danher Wang)	
)	Art Unit: 1645
Application No.: 10/003,005)	
)	Examiner: Unassigned
Filed: November 1, 2001)	
)	
Title Genetic Vaccine Against Human)	
Immunodeficiency Virus)	

RECEIVED

MAY 22 2002

Technology Center 2600

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

(1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --

(2) It is being filed within 3 months of entry of a national stage
-- OR --

(3) It is being filed before the mail date of the first Office Action on the merits
-- OR --

(4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

a certification as specified in §1.97(e) is provided below; or

a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

A. a certification as specified in §1.97(e) is completed below; and

B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and

C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 22488-712).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: May 9, 2002

By: Shirley Chen
Shirley Chen, Ph.D., Reg. No. 44,608

650 Page Mill Road
Palo Alto, CA 94304-1050
(650) 493-9300
Customer No. 021971



RECEIVED
SHEET 1 OF 1
MAY 20 2002
TECH CENTER 1600/2901

INFORMATION DISCLOSURE CITATION PTO-1449		ATTY. DOCKET NO.	SERIAL NO.
		22488-712	10/003,005
		APPLICANT Danher Wang	
FILING DATE 11/01/2001		GROUP 1645	

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
						RECEIVED
						MAY 22 2002

FOREIGN PATENT DOCUMENTS

Technology Center 2600

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 99/32147	01.07.99	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 98/17799	30.04.98	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 96/11279	18.04.96	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 88/00971	11.02.88	PCT			<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Ling Xu et al., XP-002131515, <i>Immunization For Ebola Virus Infection</i> , January 1998, pp. 37-42.
	Ruff A. Nelle et al. XP 001053714, <i>Improved DNA Vaccines Against Ebola Virus</i> , pp. 330-331.
	Jean-Luc Imler, <i>Adenovirus Vectors As Recombinant Viral Vaccines</i> , Vaccine 1995 Vol. 13 No. 13, pp. 1143-1151.
	Lorna Vanderzanden, et al., XP-002131516, <i>DNA Vaccines Expressing Either the GP or NP Genes of Ebola Virus Protect Mice From Lethal Challenge</i> , 1998, pp. 134-144.
	Gaetano Romano et al., XP-002190944, <i>Latest Developments in Gene Transfer Technology: Achievements, Perspectives, and Controversies over Therapeutic Applications</i> , 2000, pp 19-39.
	V. Randrianarison-Jewtoukoff et al., XP-002190945, <i>Recombinant Adenoviruses as Vaccines</i> , 1995, pp 145-157.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.